

**The Department of Community Planning & Development**  
**City Hall, Lynchburg, VA 24504** **434-455-3900**

---

**To:** Planning Commission  
**From:** Planning Division  
**Date:** April 12, 2006  
**Re:** **REZONING: LANDSCAPING ORDINANCE – Adopt Section 35.1-25.1, Landscaping, Section 35.1-25.1.1, Severability Clause, Section 35.1-25.1.2, Applicability, Section 35.1-25.1.3, Definitions, Section 35.1-25.1.4, General Regulations, Section 35.1-25.1.5, Landscaping Plan Required, Section 35.1-25.1.6, Residential Street Tree Landscaping, Section 35.1-25.1.7, Parking Area Landscaping, Section 35.1-25.1.8, Street Trees for Multi-Family, Commercial and Industrial Districts, Section 35.1-25.1.9, Foundation Plantings, Section 35.1-25.1.10, Utility Screening, Section 35.1-25.1.11, Buffering, Section 35.1-25.1.12, Tree Canopy Requirements, Section 35.1-25.1.13, Installation, Section 35.1-25.1.14, Maintenance, Section 35.1-25.1.15, Stormwater Quality Credit, Section 35.1-25.1.16, Alternate layout of landscaping.**

**Amend Section 35.1-14, Site Plan Review, Section 35.1-23, Supplementary regulations (building projections, setbacks, etc.), Section 35.1-35, Local Neighborhood Business Districts, B-2, Section 35.1-38, General Business District, B-5, Section 35.1-39, Restricted Industrial Districts, I-1, Section 35.1-43.2, Commercial Corridor Overlay District, CC, Section 35.1-43.3, Scenic Corridor Overlay District, SC, Section 35.1-43.17, Development Standards for Flexible Space Developments, Section 35.1-52.1, Cemeteries and Columbariums, Section 35.1-54, Care Centers, Section 35.1-56, Cluster Dwellings, Cluster Development with Townhouse Lots for Sale and/or Condominiums, Section 35.1-56.1, Group Homes, Section 35.1-60, Kennels and other Small Animal Raising and Boarding, Section 35.1-62, Mobile Home Parks, Section 35.1-64, Nursing Homes, Section 35.1-69, Recreation Facilities, Public or Community Owned, Section 35.1-70.1, Sanitary or Solid Waste Facilities, Section 35.1-71, Schools, Colleges, and Vocational Schools, Section 35.1-73, Theaters, Drive-Ins, Section 35.1-74, Trailer Parks, Campgrounds**

---

**I. PETITIONER**

The City of Lynchburg Planning Commission, 900 Church Street, Lynchburg, VA 24504

**Representative:** Tom Martin, AICP, City Planner, City of Lynchburg Planning Division, 900 Church Street, Lynchburg, VA 24504

**II. LOCATION**

The proposed Landscaping Ordinance will cover all properties within the City Limits zoned Multi-Family, Commercial, Industrial, properties requiring a Conditional Use Permit (CUP) in Single and Two-Family Residential Districts or the extension or construction of new City Streets.

**Property Owners:** N/A

### III. PURPOSE

The purpose of the Landscaping Ordinance is to promote the public necessity, convenience, general welfare and good zoning practice by incorporating landscaping, screening and tree preservation requirements into the development review process. The goals are to provide landscaping requirements that will ensure development consistent with the goals of the Comprehensive Plan; reduce soil erosion; increase infiltration in permeable land areas to improve stormwater management; mitigate air, dust, noise and chemical pollution; reduce heat island effect; protect property values, provide buffers between incompatible uses; preserve existing natural vegetation as an integral part of the City and ensure that the City remains an attractive place to live, visit and work.

### IV. SUMMARY

- Existing landscaping sections of the Zoning Ordinance are outdated.
- Adoption of a revised landscaping ordinance is supported by the *Comprehensive Plan*.
- Adoption of a revised landscaping ordinance will benefit the environment.

**The Planning Division recommends approval of adopting the Landscaping Ordinance and amending pertinent Sections of the Zoning Ordinance.**

---

### V. FINDINGS OF FACT

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* was adopted in September 2002. Throughout the planning process participants in meetings and workshops pointed to the following concerns for the built environment of the City: Minimal Landscaping and trees along streets and parking areas, Lack of buffering and poor transitions between commercial and residential uses and extensive clearing of mature trees and forested areas. (pg 6.4)

The Vision of the Comprehensive Plan states that “Lynchburg Residents-long term residents and newcomers’ alike-will appreciate the City as a great place to live, to raise a family, to learn and to work and prosper. People will talk about the City in many ways-as a City of trees and a City of hills, as a community rich in history and diverse in culture. As the dynamic center of the growing region, the City will be well known for its quality of life and economic vitality.” (pg 2.1)

There are numerous references to landscaping within the Comprehensive Plan; however the most notable references occur in **Chapter 6, Design, Character and Quality**. In summary the plan states that introducing higher quality landscaping benefits the community, benefits project residents, benefits commercial project tenants, benefits the real estate development community and most importantly the environment.

2. **Zoning.** The current landscaping standards for “by right” uses were adopted in 1978. Additional landscaping standards were adopted for properties located in the Commercial Corridor (1989), the Scenic Corridor (1989), and Flexible Use Districts (2004)
3. **Board of Zoning Appeals (BZA).** N/A
4. **Previous Actions.**
  - February 23, 2006, Landscaping Ordinance Committee completes draft Landscaping Ordinance.

- March 9, 2006, Citizen Monitoring Committee review of Landscaping Ordinance
- March 22, 2006, Planning Commission Work Session on Landscaping Ordinance.

5. **Site Description.** N/A

6. **Proposed Use of Property.** N/A

7. **Traffic.** Section 35.1-25.1.4(a) of the draft Landscaping Ordinance prohibits the planting of evergreen trees or shrubs in excess of three (3) feet in height within a site distance triangle. The draft ordinance also provides for the raising of tree limbs within the site distance triangle. These regulations will provide for adequate visibility of motorists at intersections.
8. **Stormwater Management.** The City of Lynchburg is a Phase II Community as designated by the Environmental Protection Agency (EPA) based upon population density. This designation requires all developments within the City to control the quantity and treat the quality of all stormwater. Section 35.1-25.1.15, Stormwater Quality Credit of the draft landscaping ordinance provides that all landscaping required or preserved will receive a stormwater quality credit.
9. **Emergency Services.** Section 35.1-25.1.12(f) of the proposed landscaping ordinance provides for the off site planting of trees when it is determined that Crime Prevention through Environmental Design Principles (CPTED) would facilitate the off site planting.
10. **Impact.** The adoption of the proposed landscaping ordinance will benefit City residents, visitors and most importantly the environment. Adoption of the ordinance will also be an important step towards implementation of the City's Comprehensive Plan 2002-2020 and fulfilling "A Vision for Lynchburg in the Year 2020".

11. **Technical Review Committee.** N/A

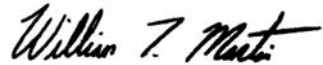
---

## VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends adoption of Section 35.1-25.1, Landscaping, Section 35.1-25.1.1, Severability Clause, Section 35.1-25.1.2, Applicability, Section 35.1-25.1.3, Definitions, Section 35.1-25.1.4, General Regulations, Section 35.1-25.1.5, Landscaping Plan Required, Section 35.1-25.1.6, Residential Street Tree Landscaping, Section 35.1-25.1.7, Parking Area Landscaping, Section 35.1-25.1.8, Street Trees for Multi-Family, Commercial and Industrial Districts, Section 35.1-25.1.9, Foundation Plantings, Section 35.1-25.1.10, Utility Screening, Section 35.1-25.1.11, Buffering, Section 35.1-25.1.12, Tree Canopy Requirements, Section 35.1-25.1.13, Installation, Section 35.1-25.1.14, Maintenance, Section 35.1-25.1.15, Stormwater Quality Credit, Section 35.1-25.1.16, Alternate layout of landscaping as part of the City's Zoning Ordinance and amending Section 35.1-14, Site Plan Review, Section 35.1-23, Supplementary regulations (building projections, setbacks, etc.), Section 35.1-35, Local Neighborhood Business Districts, B-2, Section 35.1-38, General Business District, B-5, Section 35.1-39, Restricted Industrial Districts, I-1, Section 35.1-43.2, Commercial Corridor Overlay District, CC, Section 35.1-43.3, Scenic Corridor Overlay District, SC, Section 35.1-43.17, Development Standards for Flexible Space Developments, Section 35.1-52.1, Cemeteries and

**Columbariums, Section 35.1-54, Care Centers, Section 35.1-56, Cluster Dwellings, Cluster Development with Townhouse Lots for Sale and/or Condominiums, Section 35.1-56.1, Group Homes, Section 35.1-60, Kennels and other Small Animal Raising and Boarding, Section 35.1-62, Mobile Home Parks, Section 35.1-64, Nursing Homes, Section 35.1-69, Recreation Facilities, Public or Community Owned, Section 35.1-70.1, Sanitary or Solid Waste Facilities, Section 35.1-71, Schools, Colleges, and Vocational Schools, Section 35.1-73, Theaters, Drive-Ins, Section 35.1-74, Trailer Parks, Campgrounds of the Zoning Ordinance.**

This matter is respectfully offered for your consideration.



William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Capt. Michael L. Thomas, Fire Marshal  
Mr. J. Lee Newland, Director of Engineering  
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau  
Capt. Todd Swisher, Lynchburg Police Department North Division  
Capt. J.P. Stokes, Lynchburg Police Department East Division  
Capt. Al Thomas, Lynchburg Police Department South Division  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Mr. Keith Wright, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Ms. Annette Chenault, Planner II  
Ms. Nicole Gilkeson, Community Development Planner

## **VII. ATTACHMENTS**

- 1. Proposed Landscaping Ordinance**  
(see attached ordinance)
- 2. Proposed amendments to pertinent Zoning Ordinance Sections dealing with landscaping**  
(see attached amendments)